

Minutes of the City Commission's October 22, 2025 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Scott Smith, Vice-Mayor Dean Hayse and Commissioner Tim Emert

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Jeff Chubb, City Attorney; David Schwenker, City Clerk/City Treasurer; April Nutt, Director of Housing Authority; John Garriss, City Engineer/Director of Public Works; Dustin Stafford, Chief of Police; Kayla Schabel, Administrative Assistant to the City Manager and Jordan Bagley, IT Technician Coordinator.

Visitors Present: Larry McHugh, Sherri Garriss, Brea Sanford, Kate Farthing and Madyson Reiser.

A. Call to Order

Mayor Smith called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

II. CONSENT AGENDA

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted the consent agenda.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

A. Consider approving the minutes of the October 8th, 2025 meeting.

Suggested Motion:

Minutes of the City Commission's October 22, 2025 Meeting

I move to approve the minutes of the October 8th, 2025 Commission meeting.

- B. Consider setting a public hearing for November 13, 2025 at 5:30 PM for the purpose of vacating an alley beginning at South 18th Street between West Main and West Maple Street, thence running west from South 18th Street to Lot 46, Westside Addition.

Gary Overfield, owner of two properties adjacent to the alley beginning at South 18th Street between West Main and West Maple Street, thence running west from south 18th Street to Lot 46, Westside Addition has requested the City vacate the alley.

The City Attorney has reviewed the relevant documents. Additionally, a proposed ordinance and a Notice of Hearing have been prepared to facilitate the vacating process.

Suggested Motion:

I move to set a public hearing for November 13, 2025, at 5:30 PM to vacate an alley beginning at South 18th Street between West Main and West Maple Street, thence running west from south 18th Street to Lot 46, Westside Addition.

- C. Consider a change order for electrical changes related to the pump station for the water pipeline to Bartlett.

During preparation for construction of the connection of the new transformer required by the higher connected load at the Water Treatment Plant, it was discovered the conductors were too short. The contractor proposed two alternatives, with the lower alternative being \$3,036. Bartlett has reviewed and provided approval to this change.

It is requested that the Commission approve this purchase, which will eventually be repaid by Bartlett.

Suggested Motion:

I move to authorize a change order to the contract with APAC-Kansas, Inc. in the \$3,036.00 and for the execution of any necessary documents for this change.

- D. Consider authorizing the Daughters of the American Revolution to place a plaque in front of a tree in Riverside Park.

The Daughters of the American Revolution (DAR) have purchased and planted a white oak tree near the statue garden in Riverside Park. The organization has also requested permission to place a commemorative plaque in front of the tree honoring General Richard Montgomery, who served in the Continental Army during the Revolutionary War. Following the tree planting, the DAR requested a signed letter from the Mayor confirming that the Governing Body approved both the tree planting and the placement of the plaque. This item is included on the consent agenda to authorize the Mayor to sign the letter, thereby formally recognizing the Governing Body's approval.

Suggested Motion:

I move to authorize the Daughters of the American Revolution to place a bronze plaque and plant a Liberty Tree in Riverside Park.

III. ITEMS FOR COMMISSION ACTION

- A. Consider approving a 10-year lease agreement with USD 446 regarding the school district's use of Central Park Sports Complex in the amount of \$70,000 annually, and accept the transfer of two tracts of USD 446 district property to the City of Independence.

In 2020–2021, the former USD 446 Superintendent reached out to the City to explore a partnership that would include two regulation softball fields and two regulation baseball fields in the Central Park redesign. All of the requested fields have been completed, with the exception of the second baseball field, for which the dirt work has been finished, positioning the project for future expansion if funding opportunities allow. These new fields replace those currently used by the district on South 10th Street, which are City-owned but no longer part of the City's or Recreation Commission's ongoing investment plan.

Following continued discussions about partnership opportunities, earlier proposals included shared funding between the City, Recreation Commission, school district, grants, and private donations for initial construction. Although the school district did not take formal action on construction participation at that time, on October 13, 2025, the USD 446 Board of Education approved a 10-year lease agreement for the Central Park Sports Complex baseball and softball fields for high school use. The agreement, modeled after USD 446's existing partnership with Independence Community College for stadium use, supports the facility's ongoing maintenance and upkeep.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved a 10-year Lease Agreement with USD 446 regarding the school district's use of the Central Park Sports Complex in the amount of \$70,000 annually, to accept the transfer of two tracts of USD 446 district property to the City of Independence, and to authorize the Mayor, or in the Mayor's absence the Vice Mayor or a designated Commissioner, to sign all necessary documentation.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

B. Consider Approving Bid Award for the Purchase of Two (2) New Police Patrol Vehicles

The City of Independence Police Department issued a request for bids for two (2) identical patrol vehicles meeting or exceeding the required specifications. The bid specifications included a four-door SUV with a white exterior, automatic transmission, power locks and windows, and optional police equipment such as emergency lighting, siren systems, a prisoner transport cage, and dual weapon mounting options. Three bids were received by the published deadline:

- Specialty Vehicle Source (Junction City, KS): Dodge Durango Pursuit — \$56,050 per unit, total \$112,100, confirmed delivery date January 30, 2026.
- Quality Motors (Independence, KS): Ford Police Interceptor Utility — \$59,335 per unit, total \$118,670, estimated delivery 16–20 weeks from now (February – March, 2026), not guaranteed.
- Hendrick Chevrolet Shawnee Mission (Merriam, KS): Chevrolet Tahoe PPV — \$72,362 per unit, total \$144,724, estimated delivery December 2025.

The lowest bid was submitted by Specialty Vehicle Source for the Dodge Durango Pursuit at \$56,050 per unit. In addition to being the lowest bid, this model is the preferred vehicle of the Independence Police Department due to its proven reliability, larger interior compartments, and strong performance record in law enforcement service. The increased cabin space and storage capacity provide improved functionality for in-car equipment, officer safety, and prisoner transport.

Specialty Vehicle Source also provided the earliest confirmed delivery date, ensuring timely replacement of aging fleet vehicles.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission approved the bid from Specialty Vehicle Source of Junction City, Kansas, in the amount of \$112,100.00 for the purchase of two (2) Dodge Durango Pursuit police patrol vehicles.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- C. Consider Ordinance No. 4496 adopting an amendment to the Independence Community Development Plan to update Figure 2.9 – Zoning Compatibility Matrix, as recommended by the Planning Commission.

The Independence Community Development Plan was adopted on May 23, 2024, by Ordinance No. 4454. On September 2, 2025, the Planning Commission held a duly noticed public hearing to consider a proposed amendment to the Comprehensive Plan to update Figure 2.9 – Zoning Compatibility Matrix in Chapter 02: Future Land Use (page 35). Following the hearing, the Planning Commission voted to recommend approval of the amendment. On October 7, 2025, the Planning Commission formally adopted its recommendation by Resolution No. 2025-PC001, as required by K.S.A. 12-747, and transmitted the amendment to the City Commission for consideration.

State law requires that amendments to the comprehensive plan be adopted by the Governing Body by ordinance or resolution following a recommendation from the Planning Commission.

The proposed ordinance:

- Formally adopts the updated Figure 2.9 – Zoning Compatibility Matrix as part of the City's official comprehensive plan.
- Ensures compliance with Kansas statutes governing comprehensive plan amendments.
- Will take effect upon publication in the official city newspaper, unless otherwise specified.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted Ordinance No. 4496 amending the Independence Community Development Plan to update Figure 2.9 – Zoning Compatibility Matrix, as

Minutes of the City Commission's October 22, 2025 Meeting

recommended by the Planning Commission in Resolution No. 2025-PC001.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- D. Consider Adoption of Ordinance No. 4497 Updating the City Zoning Code and Ordinance No. 4498 Adding a New Landscaping Article as Recommended by the Planning Commission.

On September 2, 2025, the Planning Commission voted to recommend that the City Commission adopt the amended zoning code prepared by the City's planning consultant.

At its September 23, 2025, meeting, the City Commission referred the proposed zoning code amendments back to the Planning Commission with direction to make several modifications, including:

- Incorporating provisions for Tiny Home Planned Unit Developments (PUDs)
- Updating the residential design standards that apply to manufactured homes so that they also apply to modular homes; and
- Reviewing and updating the landscaping requirements for parking lots.

On October 7, 2025, the Planning Commission approved revisions incorporating the requested changes. The revised zoning code now:

- Adds Tiny Home PUD provisions;
- Expands residential design standards to include modular homes; and
- *Modifies landscaping standards* by reducing the required open space on lots subject to landscaping from 20% to 10%, and limiting the additional 5% parking lot landscaping requirement (for parking lots with 60 or more spaces) to only the C-4 district.

The Planning Commission voted to recommend that the article on landscaping be considered separately from the remainder of the zoning code updates, in order to allow the City Commission to adopt the primary zoning code revisions and retain flexibility to request further adjustments to the landscaping requirements if desired.

Accordingly, two ordinances are recommended by the Planning Commission and presented for consideration:

Minutes of the City Commission's October 22, 2025 Meeting

1. Ordinance No. 4497 - Repealing and replacing Articles IV (Section 403.0 Definitions), V, VI, VII, VIII, and X of the Zoning Code.
2. Ordinance No. 4498 - Adding a new Article XIX to the Zoning Code related to Landscaping Requirements.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted Ordinance No. 4497 repealing and replacing Article IV, Section 403.0, and Articles V, VI, VII, VIII, and X of the Zoning Code, and referred the proposed landscaping article back to the Planning Commission for further consideration.

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

- E. Consider a contract with Green Environmental Recycling and Disposal, LLC, for landfill services.

On July 10th, proposals were opened from two companies for solid waste disposal services, specifically providing a place for City crews to take refuse for proper disposal. Two proposals were received. One of them was a unit price for landfilling the City's refuse at a facility in Oklahoma. The other, from Green Environmental, was a unit price for acceptance of refuse at a transfer station north of Cherryvale.

As the contract with Resource Recovery expired on October 1, 2025 and Resource Recovery did not provide a proposal, the City requested an extension of the contract with Resource Recovery. The Commission voted to extend the contract until March 31, 2026.

This contract will go into effect on April 1, 2026, and provides for a ten-year location for City refuse disposal.

Please note that this contract does not modify sanitation services being provided by City crews.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved the contract with Green Environmental Recycling and Disposal, LLC and for the execution of any necessary documents.

Minutes of the City Commission's October 22, 2025 Meeting

Aye: Tim Emert, Dean Hayse, Scott Smith

Nay: None

IV. REPORTS

A. City Board Minutes

September 2, 2025 Planning and Zoning Commission/Board of Zoning Appeals Minutes

B. Monthly Public Works and Project Report

Engineer Garris presented the report.

C. Appropriations

V. CITY MANAGER'S COMMENTS

City Manager Passauer reminded the commissioners of upcoming commission meetings and events and noted that City Hall will be closed on November 11 for Veterans Day.

Assistant City Manager Cowan reported on the bird situation in the downtown area.

VI. COMMISSIONERS' COMMENTS

Commissioner Emert noted that other cities appear to have dealt with the problem of birds in their downtown areas and that a solution should be found.

VII. PUBLIC CONCERNS

None.

VIII. ADJOURNMENT

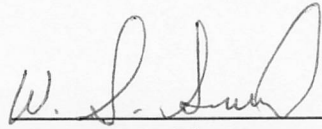
Motion:

On the motion of Scott Smith, seconded by Tim Emert the Commission adjourned the meeting.

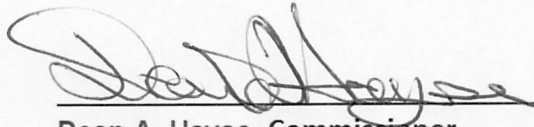
Aye: Tim Emert, Dean Hayse, Scott Smith

Minutes of the City Commission's October 22, 2025 Meeting

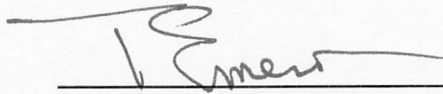
Nay: None



W. Scott Smith, Mayor

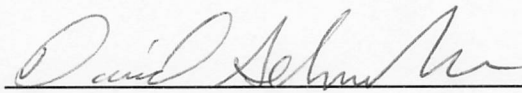


Dean A. Hayse, Commissioner



Tim Emert, Commissioner

Attest:



City Clerk/Treasurer